

LEGISLATIVE BILL 102

Approved by the Governor February 24, 1999

Introduced by Bromm, 23; Robak, 22

AN ACT relating to eminent domain; to amend section 76-723, Reissue Revised Statutes of Nebraska; to change appraisers' fees provisions; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 76-723, Reissue Revised Statutes of Nebraska, is amended to read:

76-723. The appraisers shall each receive a reasonable fee for their services, to be fixed by the county judge or clerk magistrate, and the same shall be taxed as costs. The fee shall not exceed ~~two hundred fifty four~~ hundred twenty-five dollars for each appraiser exclusive of mileage for each day actually employed in attendance on the board of appraisers. The condemner may appeal from the allowance of any fee so fixed to the district court. Such an appeal shall be docketed apart from and shall be considered separately and independently from the rights between the condemnee and condemner. All costs of the first appraisal shall be paid by the condemner. In addition, the appraiser shall receive mileage at the rate provided in section 81-1176 for each mile necessarily traveled.

Sec. 2. Original section 76-723, Reissue Revised Statutes of Nebraska, is repealed.